

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A BILL ACT 1198 OF 1991
SENATE BILL 648

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION TO THE SOIL AND WATER
9 CONSERVATION COMMISSION FOR PROVIDING SUPPLEMENTAL LONG-
10 TERM LOANS AND GRANTS TO ENTITIES OF GOVERNMENT; AND FOR
11 OTHER PURPOSES."

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

15 SECTION 1. APPROPRIATIONS - GENERAL IMPROVEMENT. There is hereby
16 appropriated to the Soil and Water Conservation Commission for cities, water
17 associations, regional water districts, and counties for planning and
18 construction of water resource development projects including but not limited
19 to public water supply, irrigation, flood control/drainage and recreation
20 projects, to be payable from the General Improvement Fund or its successor
21 fund or fund accounts, the following:

23 (A) For water development projects, the sum of\$3,228,000.

25 (B) For water, sewer, and solid waste projects the sum of ..\$7,500,871.

27 (C) For Mill Bayou Flood Control Project, the sum of\$257,000.

29 (D) For Eight Mile Creek Flood Control Project, the sum of ..\$491,400.

31 (E) For the Ten and Fifteen Mile Bayous Flood Control Project, the sum
32 of \$500,000.

34 (F) For grants to match federal environmental protection dollars for
35 non-point source pollution abatement, the sum of\$400,000.

36 (G) For the Canal 19, Section 205 Project, the sum of \$100,000

1 SECTION 2. APPROPRIATIONS - FEDERAL. There is hereby appropriated, to
2 the Soil and Water Conservation Commission, for cities, water associations,
3 regional water districts, and counties for planning and construction of water
4 resource development projects including but not limited to public water
5 supply, irrigation, flood control/drainage and recreation projects, to be
6 payable from the federal funds as designated by the Chief Fiscal Officer of
7 the State, the following:

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9 (A) For water development projects, the sum of\$34,119,000.

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11 (B) For water, sewer, and solid waste projects, the sum of \$54,000,000.

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13 (C) For Mill Bayou Flood Control Project, the sum of\$3,570,000.

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15 (D) For Eight Mile Creek Flood Control Project, the sum of \$8,086,000.

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17 (E) For Ten and Fifteen Mile Bayous Flood Control Project, the sum of
18 \$13,500,000.

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20 SECTION 3. APPROPRIATIONS - TRUST. There is hereby appropriated, to
21 the Soil and Water Conservation Commission, to be payable from the Waste
22 Disposal and Pollution Abatement Facilities Bond Fund, the following:

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24 (A) For water, sewer and solid waste projects, the sum of \$48,400,000.

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26 SECTION 4. TRANSFER PROVISION. Immediately upon approval of the
27 Governor, there is hereby authorized to be transferred upon the books and
28 records of the Chief Fiscal Officer of the State, the State Treasurer, and the
29 State Auditor, the sum of One Million Dollars (\$1,000,000) from the General
30 Improvement Fund to the Red River Waterways Project Trust Fund.

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32 SECTION 5. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
33 obligations otherwise incurred in relation to the project or projects
34 described herein in excess of the State Treasury funds actually available
35 therefor as provided by law. Provided, however, that institutions and
36 agencies listed herein shall have the authority to accept and use grants and

1 donations including Federal funds, and to use its unobligated cash income or
2 funds, or both available to it, for the purpose of supplementing the State
3 Treasury funds for financing the entire costs of the project or projects
4 enumerated herein. Provided further, that the appropriations and funds
5 otherwise provided by the General Assembly for Maintenance and General
6 Operations of the agency or institutions receiving appropriation herein shall
7 not be used for any of the purposes as appropriated in this Act.

8 (B) The restrictions of any applicable provisions of the State
9 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
10 Revenue Stabilization Law and any other applicable fiscal control laws of this
11 State and regulations promulgated by the Department of Finance and
12 Administration, as authorized by law, shall be strictly complied with in
13 disbursement of any funds provided by this Act unless specifically provided
14 otherwise by law.

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16 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General
17 Assembly that any funds disbursed under the authority of the appropriations
18 contained in this Act shall be in compliance with the stated reasons for which
19 this Act was adopted, as evidenced by the Agency Requests, Executive
20 Recommendations and Legislative Recommendations contained in the budget
21 manuals prepared by the Department of Finance and Administration, letters, or
22 summarized oral testimony in the official minutes of the Arkansas Legislative
23 Council or Joint Budget Committee which relate to its passage and adoption.

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25 SECTION 7. CODE. All provisions of this Act of a general and permanent
26 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
27 Code Revision Commission shall incorporate the same in the Code.

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29 SECTION 8. SEVERABILITY. If any provision of this Act or the
30 application thereof to any person or circumstance is held invalid, such
31 invalidity shall not affect other provisions or applications of the Act which
32 can be given effect without the invalid provision or application, and to this
33 end the provisions of this Act are declared to be severable.

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35 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict
36 with this Act are hereby repealed.

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SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1991 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1991 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1991.

/s/Russ

APPROVED: 4/10/91